United Nations CRC/C/SRB/Q/2-3

Convention on the Rights of the Child

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Committee on the Rights of the Child
Seventy-fourth session
16 January-3 February 2017
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the combined second and third periodic reports of Serbia

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 October 2016. The Committee may take up any aspect of children's rights set out in the Convention during the dialogue with the State party.

Part I

1. Please clarify whether the draft law on the rights of the child (see CRC/C/SRB/2-3, para. 7) provides for a statutory definition of the term "child" that is in line with article 1 of the Convention. Please inform the Committee which body is currently responsible for coordinating activities in the area of children's rights and provide an update on the current status of the National Council for Child Rights.

2. Please indicate if any follow-up measures have been taken to assess the impact and results of the National Plan of Action for Children since 2010, in particular in relation to children's health, children's access to services, quality education for children and child protection. Please also describe how the Plan of Action has been used in practice to monitor programmes and services targeted at child development and child protection. Please provide information on any subsequent plans to establish a policy framework since the expiration of the Plan of Action in 2015, including on how such a framework will build on the previous plan.

3. Please provide information on the outcome of the action plans (2009-2011 and 2013-2015) established through the Strategy for Improvement of the Status of Roma in the Republic of Serbia (see CRC/C/SRB/2-3, para. 41). Please inform the Committee about any other measures taken to prohibit and eradicate the continuing discrimination against Roma children, children in alternative care, children with disabilities, migrant children, refugee and asylum seeking children, children living in remote areas, children in street situations and lesbian, gay, bisexual, transgender and intersex children.

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4. Please provide the Committee with updated information on the measures taken to reach universal birth registration, particularly for the Roma community, through amendments to the Law on Non-Contentious Procedure, and the results thereof.

5. Please provide updated information on measures taken to prevent and combat all forms of violence against children, including through the implementation of the General Protocol on Protection of Children from Abuse and Neglect and of special protocols, in particular by professionals working in the judicial and health sectors. Please inform the Committee about available access to remedies, as well as the means to ensure that child victims of violence can access local support structures. Please specify what measures are being taken to tackle violence against children in schools and against children with disabilities. Please provide updated information on current awareness-raising activities and campaigns aimed at combating all forms of violence against children.

6. Following the State party's response to the recommendations on corporal punishment arising from the universal periodic review held in 2013, in which the State party indicated that corporal punishment would be banned in all settings, please update the Committee on what measures have been taken in that regard. Please clarify whether the proposed new Civil Code and amendments to the Family Law explicitly prohibit corporal punishment in all settings, including in the family.

7. Please provide information about measures taken to monitor and protect the rights of children placed in care facilities and in foster families. Please also indicate what measures have been taken to prevent the separation of children from their families, in particular for social and economic reasons. Please also inform the Committee about measures that have been taken to expedite the deinstitutionalization process and ensure the implementation of the provisions outlined in the 2011 Social Welfare Law that limit the number of children per residential institution to 50.

8. Please inform the Committee of the programmes and policies that exist to support families in disadvantaged situations, including through financial support, in order to prevent the separation of children from such families. Please also provide information on the monitoring and assessment mechanisms employed to ensure targeted family support to families with children with disabilities. Please identify measures taken for the effective inclusion of children with disabilities in mainstream schools.

9. Please provide information on the measures taken to tackle the high rates of infant and under-5 mortality among Roma children and to improve maternal and infant health services, as well as on the availability of general health services for Roma children by improving regional access to adequate institutional and professional capacities and strengthening outreach services.

10. Please provide the Committee with a detailed update on measures taken to ensure inclusive education for all children and to eliminate regional disparities in both the quality of education and the resources provided. In particular, please indicate what measures have been taken to ensure preschool attendance by children living in poverty, Roma children and minority children and to increase enrolment and completion rates of primary education by Roma children and to prevent Roma girls from dropping out. Please also inform the Committee about any developments regarding the number of educational assistants in schools.

11. Please inform the Committee of any steps taken to follow up on the recommendations outlined in the Protector of Citizen's report *Prevention of Exploitation of Children in South-East Europe: Child Begging in the Republic of Serbia*. Please also explain the reasons behind the decision taken by the City of Belgrade to discontinue support for the drop-in centre for street children in 2014.

12. Please provide the Committee with an update on efforts to reform the juvenile justice system (see CRC/C/SRB/2-3, para. 129), including information on the status of the Law on Juvenile Criminal Offenders.

13. Please provide detailed information on the measures taken by the State party to implement the Committee's previous recommendations on the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/SRB/CO/1) and, in particular, with regard to the incorporation of an explicit definition of "sale of children" into the Penal Code, in accordance with articles 2 and 3 of the Optional Protocol. Furthermore, please provide information on whether the State party has established and exercises extraterritorial jurisdiction over all crimes contained in the Optional Protocol.

14. Please provide detailed information on the measures taken to implement the Committee's previous recommendations on the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/SRB/CO/1), in particular with regard to explicitly criminalizing the recruitment of children by the armed forces and by non-State armed groups. Please also inform the Committee as to whether the State party has established and exercises extraterritorial jurisdiction over all crimes contained in the Optional Protocol. Furthermore, please provide detailed information on the mechanisms in place to identify migrant, asylum-seeking and refugee children (in particular unaccompanied children) who may have been recruited to fight in an armed conflict abroad upon entering the State party and indicate what measures are in place to ensure that such children are provided with psychological assistance and to assist with their rehabilitation and reintegration into society.

Part II

15. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

(a) New bills or laws, and their respective regulations;

(b) New institutions (and their mandates) or institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

16. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources.

17. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

(a) Cases of neglect and abuse, especially in institutions and alternative care settings;

(b) Roma children in regular schools and classes;

(c) Children working in the informal sector and children in street situations;

(d) Asylum-seeking and migrant children in reception centres;

(e) Children in detention facilities and penitentiary institutions, including closed correctional facilities;

(f) Parents, guardians or staff working in care institutions accused, indicted and convicted of child abuse, including sexual abuse and corporal punishment;

(g) Child victims of trafficking and abduction.

18. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location regarding the situation of children deprived of a family environment, for the past three years, and on the number of children:

(a) Separated from their parents;

(b) Living in child-headed households;

(c) Placed in institutions;

(d) Placed with foster families;

(e) Adopted domestically or through intercountry adoptions.

19. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Out of school;

(g) Abandoned by their families.

20. Please provide data, disaggregated by, inter alia, age, sex, socioeconomic background, geographic location and ethnic origin, for the past three years, on:

(a) The enrolment and completion rates, as percentages, of the relevant age groups in pre-primary, primary and secondary schools;

(b) The number and percentage of students who drop out and repeat;

(c) The teacher-pupil ratio.

21. Please provide the Committee with an update of any data in the report that may have been outdated by more recent data collected or other new developments.

22. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.